

**FIRST COUNTERCLAIM: DECLARATORY JUDGMENT OF
NON-INFRINGEMENT OF THE '175 PATENT**

9. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 1 through 8 above.
10. Blue Spike denies the allegations of Paragraph 10.
11. Blue Spike admits that Defendant's denial of its allegations of infringement have created an actual controversy, but denies the remaining allegations of Paragraph 11, to the extent they are allegations and not a prayer for relief.

**SECOND COUNTERCLAIM: DECLARATORY JUDGMENT OF
INVALIDITY OF THE '175 PATENT**

12. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 1 through 11 above.
13. Blue Spike denies the allegations of Paragraph 13.
14. Blue Spike admits that Defendant's denial of its allegations of infringement have created an actual controversy, but denies the remaining allegations of Paragraph 14, to the extent they are allegations and not a prayer for relief.

**THIRD COUNTERCLAIM: DECLARATORY JUDGMENT OF
NON-INFRINGEMENT OF THE '494 PATENT**

15. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 1 through 14 above.
16. Blue Spike denies the allegations of Paragraph 16.
17. Blue Spike admits that Defendant's denial of its allegations of infringement have created an actual controversy, but denies the remaining allegations of Paragraph 17, to the extent they are allegations and not a prayer for relief.

**FOURTH COUNTERCLAIM: DECLARATORY JUDGMENT OF
INVALIDITY OF THE '494 PATENT**

18. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 1 through 17 above.
19. Blue Spike denies the allegations of Paragraph 19.
20. Blue Spike admits that Defendant's denial of its allegations of infringement have created an actual controversy, but denies the remaining allegations of Paragraph 20, to the extent they are allegations and not a prayer for relief.

**FIFTH COUNTERCLAIM: DECLARATORY JUDGMENT OF
NON-INFRINGEMENT OF THE '700 PATENT**

21. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 1 through 20 above.
22. Blue Spike denies the allegations of Paragraph 22.
23. Blue Spike admits that Defendant's denial of its allegations of infringement have created an actual controversy, but denies the remaining allegations of Paragraph 23, to the extent they are allegations and not a prayer for relief.

**SIXTH COUNTERCLAIM: DECLARATORY JUDGMENT OF
INVALIDITY OF THE '700 PATENT**

24. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 1 through 23 above.
25. Blue Spike denies the allegations of Paragraph 25.
26. Blue Spike admits that Defendant's denial of its allegations of infringement have created an actual controversy, but denies the remaining allegations of Paragraph 26, to the extent they are allegations and not a prayer for relief.

**SEVENTH COUNTERCLAIM: DECLARATORY JUDGMENT OF
NON-INFRINGEMENT OF THE '472 PATENT**

27. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 1 through 26 above.
28. Blue Spike denies the allegations of Paragraph 28.
29. Blue Spike admits that Defendant's denial of its allegations of infringement have created an actual controversy, but denies the remaining allegations of Paragraph 29, to the extent they are allegations and not a prayer for relief.

**EIGHTH COUNTERCLAIM: DECLARATORY JUDGMENT OF
INVALIDITY OF THE '472 PATENT**

30. Plaintiff repeats and incorporates by reference its responses to the allegations contained in Paragraphs 1 through 29 above.
31. Blue Spike denies the allegations of Paragraph 31.
32. Blue Spike admits that Defendant's denial of its allegations of infringement have created an actual controversy, but denies the remaining allegations of Paragraph 32, to the extent they are allegations and not a prayer for relief.

PRAYER FOR RELIEF

Blue Spike denies that Defendant is entitled to any of the relief it requests.

PLAINTIFF'S PRAYER FOR RELIEF

In addition to the relief requested in its Original Complaint, Blue Spike respectfully requests a judgment against Defendant as follows:

- (a) That Defendant take nothing by its Counterclaims;

(b) That the Court award Blue Spike its costs and attorneys' fees incurred in defending against these Counterclaims; and

(c) Any and all further relief for Blue Spike as the Court may deem just and proper.

Respectfully submitted,

/s/ Randall T. Garteiser

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CERTIFICATE OF SERVICE

I, Randall T. Garteiser, am the ECF User whose ID and password are being used to file this document. I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this day. Pursuant to Federal Rule of Civil Procedure 5, this document was served via U.S. Mail and electronic means to counsel for Defendant that are not receiving this document via CM/ECF.

/s/ Randall T. Garteiser
Randall T. Garteiser